

Serial No.: 10/560,148

AMENDMENT TO THE DRAWINGS

Please substitute the drawing sheet with Figs 1-2 with the attached sheet of Replacement Drawings including FIGS. 1-2.

Serial No.: 10/560,148

REMARKS

The undersigned attorney thanks the Examiner for her comments. Applicant respectfully requests reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks.

No additional claim fee is due for this Amendment because the number of independent claims is not more than three and the total number of claims is not more than twenty.

Drawings

Applicant has submitted additional replacement figures for FIGS. 1-2. Regarding the drawing objections, Applicant respectfully disagrees with the Examiner. The different parts and their operation are understandable from the drawings and the accompanying Specification. Further illustrations are not required.

The undersigned hereby requests a telephone interview so that the Examiner can provide Applicant with specifics as to what is not understood. The Examiner is asked to contact the undersigned at (847) 490-1400 to schedule a telephone interview.

Claims

New Claim 22 has been added in place of canceled Claim 1. Claim 22 finds support, for example, in original Claim 1, Fig. 1, and at page 7, second paragraph, through page 8, first paragraph, of the Substitute Specification.

Applicant has amended dependent claims to clarify the claimed invention and/or to depend from Claim 22 instead of canceled Claim 1.

Claim 17 has been amended to recite a rotatable locking element according to the description, which finds support at, for example, page 7, penultimate paragraph, of the Substitute Specification.

No new matter has been added by this Amendment.

Claim Rejections - 35 U.S.C. §103

The rejection of Claims 1-5 and 11-13 under 35 U.S.C. §103(a) as being obvious over Engler, U.S. Patent 6,647,753, in view of Goldman, U.S. Patent No. 5,339,662, is respectfully traversed.

The Engler Patent is cited for teaching a lock, but not having Applicant's recited shielding element made of a low-retentive magnetic material. The Goldman Patent is applied on the allegation that it "shows that it is well known in the art to provide a shield for the electromagnet in addition to the housing" (Office Action, page 3).

Serial No.: 10/560,148

The alleged combination does not provide all claim limitations. For example, the Engler Patent, alone or in combination with the Goldman Patent, does not teach or predicatively suggest a rotatable locking element. Also, modifying the Engler Patent to include a rotatable locking element would result in a completely different lock, thereby negating the actual teachings of the Engler Patent. Therefore, a proper *prima facie* case of obviousness has not been put forth.

Furthermore, Applicant continues the assertion that the alleged “shield 98” in the Goldman Patent is not equivalent to Applicant’s recited shielding element. The U-shaped channel 98 of the Goldman Patent is for strengthening the casing 54, and there is no mention of the U-shaped channel 98 shielding the magnet from outside magnetic interference as in Applicant’s invention. Referring to FIG.7 of the Goldman Patent in view of FIGS. 1A and 2A, it is clear that the alleged shielding element is not properly placed to act as a shielding element, as the alleged “shield 98” is not at all disposed between the magnet 84 and the cover 56 (consider also the limitations of Claims 2, 3, and 11).

Regarding Claim 5, the alleged “shield 98” is not surrounding a portion of the electromagnet (50).

Favorable reconsideration and withdrawal of this rejection are respectfully requested in view of the above Amendment and remarks.

Serial No.: 10/560,148

The rejection of Claims 6-8 and 14-16 under 35 U.S.C. §103(a) as being obvious over Engler, U.S. Patent 6,647,753, in view of Goldman, U.S. Patent No. 5,339,662, and further in view of Roth, U.S. Patent 6,609,738, is respectfully traversed. Claims 6-8 and 14-16 depend from new independent Claim 22, and are patentable for at least the same reasons discussed above. The Roth Patent does not provide the deficiency discussed above for Claim 22.

Applicant respectfully disagrees with the Office Action's reasoning for applying the teachings of the Roth Patent. The lock of the Engler Patent includes a sliding handle 6a as shown in FIG. 7. As the handle position already demonstrates the lock is actuated, why or how would a reed switch make the lock more secure?

Regarding Claims 8 and 16, the permanent magnet of the Engler Patent has a directly opposite function from Applicant's recited magnet, and thus the combination does not provide all claim limitations.

Conclusion

Applicant intends to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicant has not addressed in this response, Applicant's undersigned attorney again requests a telephone interview with the Examiner.

Serial No.: 10/560,148

Applicant sincerely believes that this Patent Application is now in condition for allowance and, thus, respectfully requests early allowance.

Respectfully submitted,



Mark D. Swanson

Registration No. 48,498

Pauley Petersen & Erickson
2800 West Higgins Road, Suite 365
Hoffman Estates, Illinois 60169
(847) 490-1400
FAX (847) 490-1403